

### **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

Claim 1. (Cancelled)

Claim 2. (Currently Amended) A telecommunications network as claimed in claim ~~1~~26, further comprising:

an offer memory in the central server to which the distributed control parts are connected, the offer memory being addressable via the configuration code and having a plurality of memory areas, in each of the memory areas at least one of a software and a data offer which is tuned to a separate hardware and software configuration is listed; and

wherein the distributed control parts include an offer transmitting part in the central server, the offer transmitting part for transferring contents of the respectively addressed offer memory area to the respective terminal device that has transmitted a configuration code, a transmission initiation unit in the central server, the transmission initiation unit for activating the transmitting part for loading at least one of software and data from at least one of the tuned software and the data offer, an offer display part in each of the plurality of terminal devices for displaying the memory contents of the respectively addressed offer memory area, and a requesting part in each of the plurality of terminal devices for selecting offered software and data for loading onto the terminal device, which send a request signal for at least one of desired software and data and a reject signal for unwanted software and data to the transmission initiation unit of the central server.

Claim 3. (Original) A telecommunication network as claimed in claim 2, wherein the central server further includes a reject signal storage area for terminal-device-specific storage of reject signals in association with the transmitted software and data offers, such that the reject signal storage area is allocated to the offer memory on an output side as filter so that software and data offers which are quit via a reject signal are not repeated to a same user.

Claim 4. (Previously Presented) A telecommunication network as claimed in claim 3, further comprising:

a charging mode memory in the central server to which the distributed control parts are connected, the charging mode memory being allocated to the offer memory and having at least one charging mode stored for at least one of each software offer and each data offer; and

wherein the distributed control parts include a charging mode transmitting part in the central server connected to the charging mode memory for responding to the reception of one of a configuration code and a request signal, a charging mode display part in each of the plurality of terminal devices for displaying the at least one charging mode for at least one of the offered and the selected software and the offered and the selected data, and a charging mode confirmation part in each of the plurality of terminal devices for specifying the charging mode.

Claim 5. (Currently Amended) A telecommunication network as claimed in claim 426, wherein the central server further includes a terminal device operating data memory with a plurality of memory areas for the terminal-device-specific data storage of at least one of software and data that are implemented in the plurality of terminal devices, and operating data receiving and transmitting parts connected to the terminal device operating data memory for transferring the software and data from and to the plurality of terminal devices, and wherein each of the plurality of terminal devices further includes additional operating data transmitting and receiving parts for transferring the software and data to and from the central server.

Claim 6. (Original) A telecommunication network as claimed in claim 5, wherein the operating data receiving and transmitting parts of both the central server and the plurality of terminal devices are so connected to the distributed control parts for implementing the interactive control that the data storage in the central server occurs only upon the selection of a corresponding offer by a user of the terminal device.

Claim 7. (Currently Amended) A telecommunication network as claimed in claim 426, wherein the distributed control parts are formed as network-specific signaling parts on the basis of at least one of SIM cards, firmware, and applets/scripts.

Claim 8. (Currently Amended) A telecommunication network as claimed in claim 426, wherein the central server acts as an intermediate station in the loading of the software and the data onto a first of the plurality of terminal devices by one of a second of the plurality of terminal devices in the telecommunication network and a data terminal device in a data network which is linked to the telecommunication network.

Claim 9. (Currently Amended) A telecommunication network as claimed in claim ~~126~~, wherein the central server further includes a validation storage unit for storing at least one of validity data and authorization data in association with predetermined configuration codes as well as a comparison unit that is connected to the storage unit which compares the configuration codes that are transmitted by the plurality of terminal devices to stored configuration codes for the purpose of determining at least one of the validity of software stocks and data stocks and the usage authorization of a respective user.

Claim 10. (Original) A telecommunication network as claimed in claim 9, wherein the software stocks and the data stocks that are one of implemented in the plurality of terminal devices and downloaded into the plurality of terminal devices include application counter elements, the central server further including an arithmetic evaluation unit for evaluating the counter statuses of the application counter elements at one of predetermined times, time intervals, and times when the relevant terminal device logs onto the telecommunication network, for the purpose of achieving a use-based charging mode.

Claim 11. (Original) A telecommunication network as claimed in claim 10, wherein the central server includes an auxiliary information transmission unit which is connected to at least one of the comparison unit and the arithmetic evaluation unit for transmitting messages to the respective terminal device relating to at least one of the validity of implemented software, the usage authorization, and the application counter status for the respective user, the plurality of terminal devices including auxiliary information reception and display units for receiving and displaying the messages.

Claim 12. (Currently Amended) A telecommunication network as claimed in claim ~~126~~, wherein the software that can be downloaded onto the plurality of terminal devices includes at least one of software components and data for implementing non-network-bound auxiliary functions of the plurality of terminal devices.

Claim 13. (Currently Amended) A telecommunication network as claimed in claim ~~126~~, wherein the software and data that can be downloaded onto the plurality of terminal devices includes software components and data for implementing auxiliary services that are available in one of the telecommunication network and a data network that is connected to the telecommunication network.

Claim 14. (Currently Amended) A telecommunication network as claimed in claim ~~126~~, wherein the software and data that can be downloaded onto the plurality of terminal devices include update software and update data for updating software and data stocks that are stored in the plurality of terminal devices.

Claim 15. (Cancelled)

Claim 16. (Currently amended) A method of operating a telecommunication network as claimed in claim ~~[[15]]27~~, the method further comprising the step of:

transferring to the central server, when one of the plurality of terminal devices log onto the telecommunication network, at predetermined times, and at time intervals, software and data that is implemented in the plurality of terminal devices for the purpose of data storage, and transferring the software and data by the central server back to the plurality of terminal devices again upon the occurrence of a predetermined condition.

Claim 17. (Currently amended) A method of operating a telecommunication network as claimed in claim ~~[[15]]27~~, the method further comprising the steps of:

storing at least one of the reject signals and the request signals in the central server for each individual terminal device; and

generating subsequent offer information using the at least one of the stored reject signals and the stored request signals as a filter.

Claim 18. (Currently amended) A method of operating a telecommunication network as claimed in claim ~~[[15]]27~~, the method further comprising the step of:

using the central server as an intermediate station in the loading of software and data onto a first of the plurality of terminal devices by one of a second of the plurality of terminal devices in the telecommunication network and a data terminal device in a data network that is linked to the telecommunication network.

Claim 19. (Currently amended) A method of operating a telecommunication network as claimed in claim ~~[[15]]27~~, the method further comprising the steps of:

storing at least one of validity data and authorization data in the central server in association with predetermined configuration codes;

comparing the data to configuration codes that are transmitted by the plurality of terminal devices; and

outputting to the plurality of terminal devices, as a result of the comparison, data relating to at least one of the validity of software and data stocks that are stored in the plurality of terminal devices and the usage authorization of the respective user.

Claim 20. (Currently amended) A method of operating a telecommunication network as claimed in claim [[15]]27, the method further comprising the step of:

evaluating in the central server, when at least one of a terminal device logs on, predetermined times occur, and time intervals occur, counter statuses of application counter elements of the software and data stocks that are implemented in the plurality of terminal devices for the purpose of performing a use-based charging, an evaluation result being transmitted to the plurality of terminal devices.

Claim 21-25. (Cancelled)

Claim 26. (New) A telecommunications network comprising  
a plurality of user terminals with a respective predetermined hardware and software configuration; and

a central server associated with an access or service provider, wherein  
the server has a polling device for polling the hardware and software configurations of the terminals and a software transmission device for loading software and/or data aligned with the ascertained hardware and software configurations onto the terminals,

the terminals having a response transmission device for transmitting a configuration code denoting the hardware and software configurations to the server in response to a polling operation from the polling device and a software reception device for receiving and for internally storing transmitted software and/or data,

the polling device and the response transmission device configured to poll the hardware and software configurations and to transmit the configuration code when the terminal logs into the telecommunication network or at predetermined times or at predetermined intervals of time,

the server and the terminals are provided with a distributed control device for implementing interactive control of the server transmission device, and

the distributed control device is configured for interactively determining a billing mode for downloaded software and/or data.

Claim 27. (New) A method for operating a telecommunication network, comprising:

polling, when logging into the telecommunication network or at predetermined times or at predetermined intervals of time, current hardware and software configurations for a terminal;

transmitting the current hardware and software configurations of the respective terminal to a central server;

creating offer information for a user of the terminal on the basis of the transmitted hardware and software configurations, and transmitting the offer information to the terminal;

displaying, as part of interactive menu guidance in the terminal, the offer information together with a selection or rejection request;

registering a request or rejection signal from the user, which the user has generated, together with the offer information;

transmitting billing-mode signals to the terminal and, as part of the interactive menu guidance, are displayed together with the offer information for selection by the user;

registering a billing mode in response to a selection made by the user; and

downloading, in response to the registered request or rejection signal, software and/or data which can be supplied to the terminal and are not yet present thereon, to the terminal from the server.